

## Justice Matters

What Scotland's Political  
Parties Must Deliver at the  
2026 Parliament Election




Photo: Scottish  
Parliament building,  
Holyrood, Edinburgh

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# Welcome from the President: Justice Matters – our next parliament and next government need to champion it.

We live today in an uncertain world. Conflicts are rising across the globe, leading to global market turbulence, disrupted energy and resource supplies, and food exports. Coming so soon after the Covid-19 pandemic lockdowns, these shocks have slowed recovery and deepened the cost-of-living crisis.

Simultaneously, western democracies have seen a surge in far-right sentiment, polarised debates over free speech and immigration, and challenges to the independence of the courts and their decisions.

Over this parliamentary session, Scotland has faced rising political, economic, and social upheaval, reflecting wider instability across the UK and abroad. Vocal challenges to the UK Supreme Court's ruling on the definition of a "woman" under the Equality Act 2010 dominated headlines, alongside ongoing health, climate, and housing emergencies. The justice system faces a crucial time of change, and whilst momentum for criminal justice reform is gaining traction, necessary reforms will require time and resources to deliver.

There is no universal remedy to tackle these adversities, but the next Scottish Government must recognise the stabilising role justice plays at home, and place it at the forefront of decision-making.

After a decade of deliberation, we welcomed the passing of the Regulation of Legal Services (Scotland) Act 2025, which will see more responsibility for the Law Society of Scotland. This is a key step forward in Scotland's justice journey, strengthening consumer protections

while supporting the growth and competitiveness of Scotland's legal sector.

Legal aid will continue to play a central role in Scotland's justice system. As a legal aid solicitor, I am aware of its challenges: inadequate remuneration, unnecessary bureaucracy, and needless complexity. Combined with unmerited underappreciation, these pressures have led to practitioner disillusionment and exodus, accelerating system decline. The ramifications will be felt across Scottish society, creating an access to justice emergency in Scotland.

The next Scottish Government has an opportunity to introduce lasting improvements across our legal system. This includes modernising our courts, restoring confidence in our justice system, establishing Scotland as a global hub for digital law innovation, and strengthening international collaboration.

There are many recommendations in this document that all parties should consider, and we will work with the new Scottish Government and parliamentarians across the political spectrum to ensure the best possible outcomes of any legislation that introduces our policy positions.

We cannot second guess where the next five years will take us, but one certainty will remain: the resilience of our justice system will underpin Scotland's future.

**Patricia Thom**  
President, Law Society of Scotland



Patricia Thom, President, Law Society of Scotland

# Our Election Priorities

## 1. Respecting the rule of law and championing human rights

The rule of law must be consistently upheld through an independent judiciary and legal profession.

Parliamentarians should actively defend democracy and the courts' independence.

The next Scottish Government should incorporate key UN Human Rights Conventions into Scots law, and strengthen protections in areas such as non-discrimination and adults with incapacity.

### Key Asks

- Political parties to make clear in their manifestos that they will commit to respect and adhere to the rule of law, and recognise the independence of Scotland's judiciary; Scottish Government introduction of a Human Rights Bill; and reinstated Adults with Incapacity Amendment Bill

## 2. Making good laws through clear and workable legislation

New legislation should be within the competence of the Scottish Parliament, clear, evidence-based, and rooted in justice and human rights.

Parliamentarians should advocate transparent legislative processes, effective implementation, and robust parliamentary scrutiny.

Framework legislation and Henry VIII powers\* should be used sparingly and with justification.

### Key Asks

- Stronger pre- and post-legislative scrutiny and improved committee effectiveness in Holyrood

\* Henry VIII powers refer to provisions in legislation that allow Scottish Ministers (or sometimes UK Ministers acting in devolved areas) to amend or repeal primary legislation using secondary legislation, rather than passing a new Act of the Scottish Parliament.

## 3. Delivering access to justice to all who need it

Access to justice in Scotland is under serious strain due to long-term underfunding of legal aid, leading to solicitor shortages and growing inequality.

Addressing this requires sustained investment, stronger support for pro bono work – whilst recognising it is not a substitute for an adequately funded legal aid system – and collaboration to revitalise the system.

The Scottish Government should introduce meaningful reform through a Legal Aid Bill rather than reliance on incremental fee increases alone.

### Key Asks

- Scottish Government introduction of a Legal Aid Bill, and commitment to adequately resourcing the legal aid system



# Our Election Priorities

## 4. Modernising our justice system for the future

The next parliamentary session will be crucial to securing a fair, accessible, and resilient justice system, with effective delivery of recent legislation key to maintaining public trust.

Justice reform must keep pace with technological change while ensuring inclusion, adequate resourcing, and trauma-informed practice.

Strengthening transparency, accountability, and institutional resilience to protect rights in a changing society is paramount.

### Key Asks

- Scottish Government support and close collaboration with the Law Society of Scotland to implement the new regulatory responsibilities from the Regulation of Legal Services (Scotland) Act 2025; and a Scottish Government-led examination of new and emerging technologies' use and impact on Scotland's justice system

## 5. Broadening Scotland's legal talent pipeline

Scotland's legal profession is becoming more diverse and inclusive, using data-driven approaches to remove barriers and better reflect society.

Widening access remains essential, with programmes such as outreach, scholarships, and the successful legal aid traineeship fund helping to break financial, social, and cultural barriers – but continued funding up to 2031 is not guaranteed. Scotland also risks losing legal talent to other global jurisdictions due to restrictions such as the Graduate Visa changes.

These must be addressed to build a judiciary and profession that better reflects society and strengthens public confidence.

### Key Asks

- Scottish Government support for public education on Scotland's legal system; the expansion of graduate apprenticeships to include solicitors and bursaries to support less advantaged individuals to enter the legal profession; and a commitment to the continuation of the legal aid traineeship fund every two years

## 6. Making justice and the law a catalyst for economic growth

The rule of law is essential to economic success, with solicitors driving stability, trust, investment, and international trade while strengthening Scotland's global reputation as a transparent, competitive jurisdiction.

Smaller and rural firms are vital to local economies, access to justice, and Scotland's wider economic resilience but face significant pressures in recruitment, succession, and digital adaptation. The next Scottish Government must explore how they can be supported.

Solicitors assist economic growth through work in taxation, sustainability, and climate transition, helping businesses navigate regulation and advance Scotland's net-zero ambitions while ensuring the economy remains grounded in justice and fairness.

### Key Asks

- Scottish Government introduction of an annual Scottish Finance Bill

# 1. Respecting the rule of law and championing human rights

The rule of law is a fundamental principle of a functioning democracy, ensuring state power is not abused and that the law applies consistently to all. The judiciary's independence, and that of the legal profession in Scotland, must be recognised and protected.

As the professional body for Scottish solicitors, we have a duty to stand up for the rule of law and the independence of lawyers and the judiciary, not just here in Scotland, but globally.

Respect for the rule of law is the foundation on which a fair and just society is built. It ensures justice, order, and security. While it applies to everyone in society, it is vital that those in positions of power recognise and uphold it. The next Scottish Government needs to understand that the rule of law includes interpretation of the law. When creating new legislation, they must consider how those laws will be interpreted by the courts.

The legal sector is a key pillar of civil society, and the legal profession plays a key role in defending human rights and ensuring justice is applied equally, reinforcing democracy in the process. The courts must be respected, and be free to carry out work without fear or interference. The next Scottish Government and the next generation of parliamentarians – regardless of political creed – must support and uphold the rule of law.

Like many countries across the world, Scotland faces a plethora of societal challenges that will not lessen between now and 2031. It is therefore imperative that our national leaders and elected parliamentarians continue to champion the rule of law, human rights, and democracy.

Failure to do so risks damaging Scotland's reputation and democratic values.

One of the core principles of the rule of law is adequate protection of human rights<sup>i</sup>. Scotland has a strong record of human rights protections, and there is growing political will to embed human rights further into Scots law.

In the next parliament, we will actively pursue the goal of strengthening Scotland's human rights, as proposed by the current Scottish Government, which includes the incorporation into Scots law of the UN conventions addressing racial discrimination, discrimination against women, and the rights of persons with disabilities.

## We call on all political parties to:

- Include a clear and unequivocal statement in their manifestos to respect and adhere to the rule of law, and recognise the independence of Scotland's judiciary
- Ensure all government and parliamentary policy and legislation is human rights compliant, and actively call out and challenge any opposition to this

## Our priority law reforms:

The Scottish Government published a discussion paper for a Human Rights Bill for Scotland. This is not the first time this has been proposed, but we urge elected MSPs in Holyrood to:

- Commit to further incorporation of human rights into Scots law
- Introduce a Scottish Human Rights Bill

# 1. Respecting the rule of law and championing human rights

The Church of Scotland (Lord High Commissioner) Act 2025 removed the legal restriction that prevented Catholics from holding the office of His Majesty's Lord High Commissioner to the General Assembly of the Church of Scotland. Discrimination by law on the basis of religion is a long-standing issue, which has only been amended – in part – by this legislation.

Equality matters are reserved to the UK Parliament, but the Scottish Parliament – through the Scotland Act 1998 – can make provisions to promote equal opportunities and diversity. The next Scottish Government should work with the UK Government to usher in greater equality and encourage the removal of discrimination in the law on the basis of faith or religion.

## **We call for the next Scottish Government to:**

- Actively encourage the UK Government to give priority to removing existing religious discrimination on the basis of faith or religion, in the law and in society in general

The Adults with Incapacity (Scotland) Act 2000 provided protections and support for people aged over 16 who were unable to make decisions themselves – due to mental disorders or an inability to communicate – about their welfare, treatment, finances and other life matters. The legislation is now 25 years old and no longer reflects international human rights standards.



Mental Welfare Commission (MWC) for Scotland reported record-high numbers of welfare guardianship orders, exceeding

# 20,000

Despite consultation exercises in 2018 and 2024, and the independent Scottish Mental Health Law Review which reported in 2022, updated legislation remains absent. Previous proposals to update adults with incapacity legislation were dropped from the Scottish Government's legislative programme at a time when, according to the Mental Welfare

Commission, Scotland has the highest number of guardianships on record<sup>ii</sup>. It is clear that the current law needs updated.

## **We call for the next Scottish Government to:**

- Reinstate the Adults with Incapacity Amendment Bill to respect and safeguard human rights

## 2. Making good laws through clear and workable legislation

Good policy requires good law, and we seek to assist the development of clear, effective and accessible legislation, which is easy to understand, and within the competence of the Scottish Parliament.

The Scottish Parliament and Government share responsibility for ensuring that legislation is within the competence of the Scottish Parliament, grounded in the principles of justice, human rights, and accountability. They must also recognise the importance of carrying legislation through to implementation – working with UK Government when required.

Law making must also be transparent, evidence-based, and inclusive, so that Scottish society has confidence in its content, the way it is made, and its outcome. Well developed legislation is more effective, and inhibits potentially costly legal challenge.



**10%**

of Holyrood Bills in session 6 have been considered framework legislation

(approximate figure)

Throughout the history of the parliament, the Law Society of Scotland has worked with parliamentarians and officials to ensure legislation meets policy goals. We will continue this approach post-election.

Effective scrutiny is also central to good law-making, and parliamentary committees play a vital role in testing the purpose, clarity, and impact of proposed legislation.

Since 1999, Holyrood has delivered an abundance of legislation. Much of this has been necessary and, more often than not, the requirements of good law have generally been met. However, there have been instances where this is not the case, and the new and modified law, as it applies to people in Scotland, has placed additional burdens on business, public services and the public without any real benefit – as well as adding to the workload of MSPs. Furthermore, at times, questions have rightly been raised as to the provision afforded for pre-and post-legislative scrutiny and consolidation – essential parts of good law making.

These issues were covered by the Parliament's Standards, Procedures and Public Appointments (SPPA) Committee report on Strengthening Committees' Effectiveness<sup>iii</sup>.

Scotland would benefit from new and returning MSPs working together in the new parliament to take forward the committee's important recommendations.

The Delegated Powers and Law Reform Committee also reported on its Inquiry into Framework Legislation and Henry VIII powers<sup>iv</sup>. We believe there is a place for framework legislation; such as when the Government policy or subject matter in development is technical in nature. We urge the next Scottish Government to act with restraint when planning to use such a mechanism, opting to use enhanced supplementary materials to explain what the bill intends to do.

Henry VIII powers should only be enacted in exceptional circumstances.

### The Scottish Law Commission

The Scottish Law Commission, which plays a pivotal role in Scots law, celebrated its 60th year in 2025, and we congratulate them on achieving this anniversary. The Commission operates to review Scots law and recommend reform, covering both devolved and reserved matters. Its Eleventh Programme will conclude early in the new Parliamentary session, and we look forward to engaging with Commissioners to build the Twelfth Programme.



## 2. Making good laws through clear and workable legislation

### We call on all political parties to:

- Ensure that key pieces of Holyrood's Session 6 legislation which are currently unimplemented or implemented only in part such as the Trusts and Succession (Scotland) Act 2024 and the Judicial Factors (Scotland) Act 2025, are brought into force
- Maximise endeavours to increase the amount of post-legislative scrutiny across all subject areas; including further examination of Holyrood's committees which started in the Standards, Procedures and Public Appointments (SPPA) Committee report on Strengthening Committees' Effectiveness
- Support consolidation projects in areas of unnecessary complexity, such as current work on crofting law and the Scottish Law Commission project on nature conservation law

### Our priority law reforms:

- Legislation implementing the recommendations of the Scottish Law Commission's Report on Unincorporated Associations (2009) (Scot Law Com No 217)<sup>v</sup>
- Legislation to complete the reform of charity law (which begun in the Charities (Regulation and Administration) (Scotland) Act 2023)
- Maintain the rate of incorporation of Scottish Law Commission Bills, including setting out early in the next session plans and timescales for the implementation of specific reports



Scottish Parliament building, Holyrood, Edinburgh

### 3. Delivering access to justice to all who need it

Access to justice is the cornerstone of any fair and democratic society, and a robust and balanced criminal justice system increases public confidence in the justice sector. This is why we are very concerned with the proposed reforms to the criminal justice system in England and Wales that will introduce juryless trials for crimes that carry a sentence of less than three years. The reforms form part of a wider effort to address severe backlogs in the justice system, but speed should not come at the expense of fairness. We implore the next Scottish Government to desist from following this avenue.

The legal aid system – a vital safety net for many people in Scotland – has been eroded by years of underfunding, making the delivery of legal aid unsustainable for many legal firms, and leaving many unable to secure representation.

Shortages are particularly acute in areas such as Reciprocal Enforcement of Maintenance Orders (REMO). As we have responsibility for allocating cases, we are aware that there are too few legal aid solicitors available to meet demand. This shortage highlights the fragility of a system that should guarantee equality before the law.

Since the last increase in legal aid fees in 2023, we have been in regular discussions with the Scottish Government around future uplifts. Whatever increase is announced for this year, incremental changes alone will not be enough to halt the long-term decline of legal aid provision. Without meaningful reform and a proper independent mechanism for reviewing and uplifting legal aid fees, access to justice risks



**12%**

decline in registered legal aid solicitors during session 6 of the Parliament

**170,000**

grants of legal assistance in Scotland (in 2024/25)

becoming a privilege for the few rather than a right for all people who call Scotland home.

Pro bono legal work has an important role to play in expanding access to justice, but it must be recognised for what it is: a supplement, not a substitute, for a properly funded legal aid system. Encouragingly, there are sectoral discussions underway that, whilst recognising and sharing this position, are looking to build pro bono capacity in Scotland. This will ensure that those in need can access advice and representation. However, for pro bono to flourish, it requires recognition and support from parliament.

Ensuring access to justice necessitates both sustained investment in legal aid, and new legislation. There is parliamentary unanimity in Scotland's need for a Legal Aid Bill as the existing legislation no longer reflects how people actually use or need legal aid services, leaving gaps

that funding alone cannot fix. A bill can make appropriate changes to eligibility rules, decision-making powers, and more to ensure support reaches people earlier and more effectively. This goes beyond resourcing and simplification by reforming the legal framework itself.

We will work with all delivery partners – including the Scottish Government and Scottish Legal Aid Board (SLAB) – to ensure legal aid is reinvigorated and becomes a viable and sustainable channel for access for justice in Scotland in the immediacy, and in the future.

#### We call on all political parties to:

- Commit to adequately resourcing and simplifying the legal aid system, enhancing eligibility, increasing accessibility (including for community groups), and court access
- Recognise and promote the role of pro-bono in assisting access to justice
- Improve access to third sector services that provide advice and guidance to consumers seeking assistance to understand their rights, such as Citizens Advice Scotland
- Explore third sector and law centre models of funding for legal aid provision
- Make a commitment to maintain an independent review mechanism to consider and increase legal aid fees each year
- Commit to retain the jury system for serious criminal cases

#### Our priority law reforms:

- Legal Aid Bill as a priority

## 4. Modernising our justice system for the future

The next parliamentary session will be critical for the future of Scotland's justice system. The Law Society of Scotland remains committed to supporting reforms that uphold the rule of law, enhance public confidence, and ensure the justice system remains accessible, fair, and resilient.

The passing of the Regulation of Legal Services (Scotland) Act in May 2025 marked the culmination of a decade of work to secure major reforms to the framework for regulating legal services. This new legislation gives us a swathe of new and important powers to be a better regulator, and to act in the public interest. Effective implementation will be essential to balance regulatory oversight with support for a thriving, competitive legal profession that serves the public interest.

Similarly, we agreed that the law relating to the judicial factor regime needed modernisation and we supported the Judicial Factors (Scotland) Act 2025 – particularly the clarity of a judicial factor's powers that the Act brings. Once brought into force, the Act's provisions must be implemented carefully; this includes the welcome changes relating to data protection legislation, and the introduction of a management plan under section 18 and how that will work in practice.

The justice system also faces rapid technological change. Debates around the Criminal Justice Modernisation and Abusive Behaviour Reviews (Scotland) Act 2025



### 2025 Act

Updates and modernises legal services regulation in Scotland

reflected the need for adopting digital tools on a permanent basis in the court system. In addition, the rise of cybercrime and artificial intelligence present new challenges that must be considered and addressed. It is vital that reforms balance innovation with accessibility, ensuring that digital justice – including mechanisms such as Alternative Dispute Resolution (ADR) and mediation – does not exclude vulnerable or uninformed users.

Key criminal justice reforms, including the Victims, Witnesses, and Justice Reform (Scotland) Act 2025 and Criminal Justice Modernisation and Abusive Behaviour Reviews (Scotland) Act 2025, must be matched by sufficient resources. Without sufficient investment, these ambitious laws risk falling

short in practice. A trauma-informed approach to justice – including for victims, witnesses, and vulnerable accused – must underpin all reform.

The Covid-19 inquiries highlight the importance of transparency, accountability, and learning from past crises. These lessons should shape how Scotland builds resilience into its legal and judicial institutions going forward.

Whatever the digitalisation of our courts, we need the government to commit to sustained investment in our court estate to ensure these are modern, safe, and effective environments for people to work and participate in. Investment in people and skills is essential too, with a need to ensure a well-funded prosecution service through the Crown Office and Procurator Fiscal Service, in addition to well-funded defence through legal aid.

Together, these reforms represent an opportunity to create a justice system that is modern, inclusive, and robust – one that meets the demands of a rapidly changing society while protecting the rights of all.



## 4. Modernising our justice system for the future

### We call on all political parties to commit to:

- Clear communication and timelines for the new regulatory responsibilities of the Law Society of Scotland (including post-enactment Regulations), and support from the next Scottish Government to assist our work on implementation
- A review of current justice systems' integrity to prevent cyber crime
- A review of AI use in the justice system – ensuring any new AI systems ensure fairness and accessibility
- Adequate funding across the justice system to support modernisation, including improvement to the court estate and proper investment in the Crown Office and Procurator Fiscal Service
- Ensuring that accessibility is embedded into modernisation initiatives to promote access to justice
- Implementing recent criminal justice reforms, including proper resourcing to meet the policy intentions
- Embed the principles of trauma-informed justice across the justice system, including in relation to vulnerable accused persons
- Ensuring that learning from the Covid pandemic and recommendations from the Covid Inquiries are taken forward to ensure that the justice system is ready should another pandemic ever occur



Scottish Parliament building, Holyrood, Edinburgh

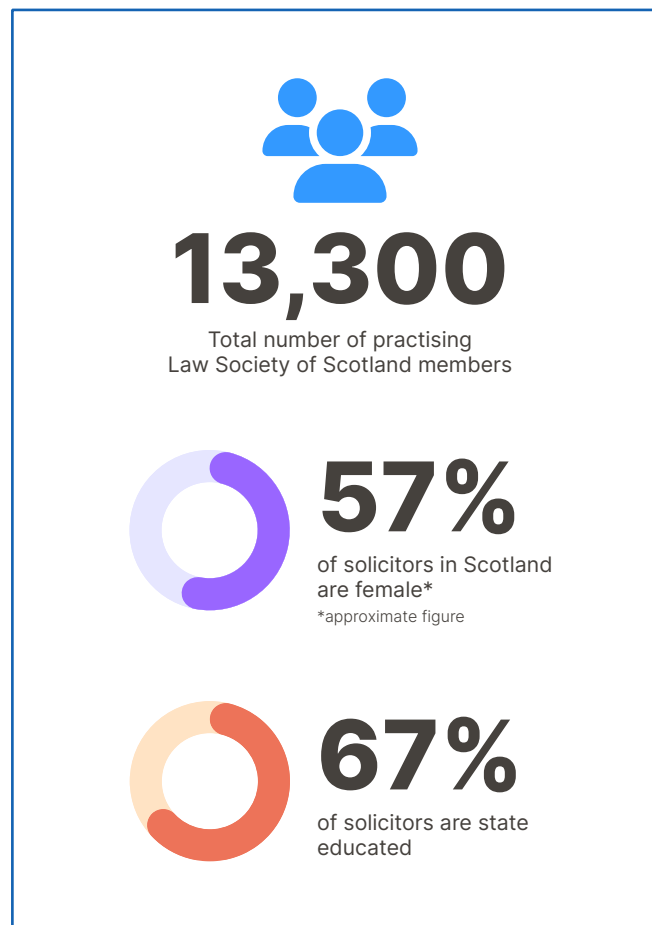
## 5. Broadening Scotland's legal talent pipeline: Education and inclusion

The Scottish legal profession continues to thrive, with Law Society of Scotland membership growing year on year. This reflects the profession's enduring appeal as a career that offers intellectual challenge, social purpose, and the opportunity to serve communities and business enterprises across Scotland and beyond.

Alongside this growth, we have placed equality, diversity, and inclusion at the heart of our work. From targeted programmes to sector-wide initiatives, we are committed to ensuring that the profession reflects Scotland, and the clients it serves. Our work in this area is extensive, and we use a data-driven approach to understand barriers and measure progress. Engagement with the profession is vital to our success, and we work on initiatives and events with, and for, a wide range of stakeholders, members, and groups. Our Profile of the Profession<sup>vi</sup> research and our Diversity Data collection are key components of our work.

From creating guides and information for our members in areas such as promoting inclusive practices in law firms, to supporting greater representation of minority groups, our efforts are part of a broader drive to ensure fairness, opportunity, and respect.

Routes into the profession remain both a central focus and a concern for us. We recognise that the traditional barriers – financial, social, and cultural – continue to limit access for talented individuals from less advantaged



backgrounds. Our initiatives to widen access and support social mobility are designed to tackle these barriers head-on, from outreach in schools through to support for traineeships and scholarships. We want the law to be a profession open to all with the ability and commitment to succeed.

The legal aid traineeship fund – which commenced in 2021 – provided for 40 placements, and was highly successful; indeed, it was oversubscribed. It was evidently an important systematic ingredient to future-proof legal aid provision in Scotland, and it met its policy objectives: increase legal aid capacity, increase diversity and equality within the legal profession, and provide employment and training opportunities for the purpose of supporting economic regeneration and development.

Our own evaluation of the 2021 traineeship fund reflected the sector-wide positive recognition of the scheme, thus we are looking forward to a new fund commencing in April 2026. As yet, there are no guarantees for further funding when the current tranche ends. It is clear that the fund's continuation is as much a necessity as it is an exemplar for other legal profession future-proofing considerations.

The recent decision to restrict the Graduate Visa\*, however, will reduce the number of international students able to join the solicitor profession via this route. Closing ourselves off from the world will come at a cost as aspiring and ambitious students will not choose the Scottish jurisdiction, opting for elsewhere in the world instead.

\* Statement of changes to the Immigration Rules: HC 1333, 14 October 2025 – from 1 January 2027, the length of permission granted under the Graduate Route will be reduced for most applicants – from the current 2 years to 18 months.



## 5. Broadening Scotland's legal talent pipeline: Education and inclusion

Put another way: Scotland will lose the competition for legal talent.

There is also a pressing need for greater inclusivity within judicial appointments. A more representative judiciary strengthens public confidence in the justice system and ensures diverse perspectives are reflected in decision-making. We will continue to advocate for reforms that promote transparency, reflect the broader range of experience that might be gained elsewhere, widen participation, and focus more on competencies than on specific and inflexible career experience requirements, including a new 'reflection of society' criteria where the ability of a candidate to contribute to a diverse judiciary is taken into account. This will ensure that the bench reflects the breadth of Scottish society.

Through growth, widening access, and embedding diversity, the legal profession can continue to lead by example in building a more inclusive Scotland.

### We call on all political parties to:

- Support the provision of public education and awareness materials, providing a basic level overview of the Scottish legal system in Scotland to encourage prospective solicitors and others to engage with Scots law
- Expand graduate apprenticeships to include solicitors, with full funding available
- Commit to providing government bursaries to support less advantaged individuals to enter the legal profession
- Work with UK Government to ensure international students can complete their traineeships in Scotland, and become Scottish solicitors
- Commit to the continuation of the legal aid traineeship fund every two years
- Provide support for legal employers to ensure retention of colleagues, including better support of family-friendly working and a commitment to understand barriers to progress across neurodivergence, disability, gender, and race

## 6. Making justice and the law a catalyst for economic growth

The rule of law underpins every successful economy. It provides the moral framework for society, delivers mechanisms for resolving disputes, and prevents corruption. A strong legal system is therefore not only about justice – it is a driver of stability, confidence, trust, and long-term economic growth.

The solicitor profession is an important success story in Scotland's economy, contributing over £1.5 billion each year and accounting for over 20,000 high quality jobs. From global companies to small businesses on high streets across the country, there are over 1,200 law firms operating in Scotland. We now have more practising solicitors than ever before.

Those solicitors, whether working in private practice or in-house, play a wider role in Scotland's economy, both domestically and internationally. They advise businesses of all sizes, enable contracts and trade, and give investors confidence that Scotland is a safe and fair place to do business. Beyond transactional work, solicitors also play a crucial part in building Scotland's global reputation as a trusted and transparent jurisdiction, making our legal sector a significant contributor to inward investment.

In a post-Brexit UK, international trade is expected to remain a major priority in the years ahead, and there is an opportunity for Scotland and Scottish solicitors – with support from the UK Government and next Scottish Government – to contribute meaningfully to trade matters.



River Clyde, Glasgow

Trade agreements influence numerous dimensions of relationships between states and blocs, and their provisions are frequently designed to promote and strengthen the rule of law. Consequently, trade negotiators should recognise the pivotal role solicitors can play in ensuring standards, respect for the rule of law, and protecting the interests of access to justice.

As a means to continue its representation, support, and promotion of Scottish solicitors abroad, the Law Society of Scotland recently established an International Committee, and we engage closely with our global network of partners through membership in other international bodies, such as the International Bar Association (IBA), and the Council of EU Law Societies and Bar Associations (CCBE).

Domestically, however, smaller firms face distinctive challenges. Research from the Law Society of Scotland highlights pressures around recruitment, succession planning, and adapting to digital technologies<sup>vii</sup>. These firms are often the backbone of local economies, providing essential legal services to individuals, families, and small businesses. That is why we, like other sectors of the economy, are dependent on a government that will create the best possible backdrop for businesses to thrive and grow their workforce in Scotland.

Furthermore, particularly in rural Scotland, they provide tailored and niche legal services. Their decline is of deep concern to rural Scotland, which plays a pivotal role in tourism, farming, outdoor activities and forestry. Supporting rural business to thrive is vital not just for access to

# 6. Making justice and the law a catalyst for economic growth

justice but also for economic resilience across Scotland's towns and rural areas.

The legal profession also has an important role to play in taxation, and addressing the climate crisis.

Solicitors work across the tax law spectrum in Scotland – covering personal, business, land and property taxes – providing advice to domestic and international clients. Like many other countries, taxation and levies in Scotland are in constant motion. It is important that the ongoing development of the devolved taxation landscape is clear, workable and evolves with the economy.

Scotland's solicitors are advising clients on sustainability, helping businesses navigate changing environmental regulation, and supporting the transition to a low-carbon economy. By embedding climate-conscious practices and guiding enterprise towards greener operations, the profession contributes directly to Scotland's net zero ambitions.



## £1.5bn+

The legal sector's annual contribution to the Scottish economy each year

## 20,000+

high value jobs across private practice, in-house legal teams, courts, public bodies, and related professions

### We call on all political parties to:

- Ensure UK trade negotiations recognise the Scottish legal profession, legal services, and the rule of law
- Ensure that the regulatory, qualification and education standards set by the Law Society of Scotland are maintained as the UK signs new trade deals
- Work with UK Government to make Scotland the destination of choice to conduct international arbitration
- Commit to support for smaller practices and enhancing rural reach – particularly in relation to digital and communications connectivity
- Maintain a pro-business approach that creates a sustainable and competitive environment for businesses to grow

### Our priority law reforms:

- An annual Scottish Finance Bill – creating a process that allows for regular maintenance of, and amendment to, devolved taxes; particularly in instances where there are technical issues
- Consolidating nature conservation legislation – as per the current Scottish Law Commission project



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- <sup>vi</sup> Law Society of Scotland, [Profile of the Profession 2023](#)
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